

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 1651  
Application No. 10/531,846  
Paper Dated: December 30, 2008  
In Reply to USPTO Correspondence of September 30, 2008  
Attorney Docket No. 4544-051198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/531,846 Confirmation No. 4062  
Applicant : SANJAI SAXENA  
Filed : September 28, 2005  
Title : PROCESS FOR PRODUCING HERBICIDES FROM A  
FUNGUS ALTERNARIA ALTERANATA F.SP.  
LANTANAE  
Group Art Unit : 1651  
Examiner : Irene Marx  
Customer No. : 28289

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL REJECTION**

Sir:

In response to the Office Action dated September 30, 2008, Applicant submits the following amendments and remarks.

**Amendments to the Specification** begin on page 2 of this paper.

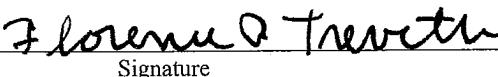
**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 6 of this paper.

I hereby certify that this correspondence is being electronically  
submitted to the United States Patent and Trademark Office on  
December 30, 2008.

12/30/2008

Date



Signature

Florence P. Trevethan

Typed Name of Person Signing Certificate


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### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

#### Listing of Claims

Claims 1-13 (Cancelled).

 <sup>1.</sup>  
Claim ~~14~~ (Previously Presented): A process for producing herbicides from the fungus Alternaria alternata f.sp. lantanae deposited as a pure culture as ITCC-4896, comprising culturing the fungus in a liquid broth; subjecting the broth to the step of filtration to separate the broth containing phytotoxins from mycelium; extracting the phytotoxins from said broth to obtain the phytotoxins; and subjecting the phytotoxins to chemical characterization.

*Cancelled  
Per  
En.  
Amend.*  
Claim 15 (Currently Amended): The process as claimed in claim 14, wherein the fungus is inoculated on a ~~modified chemically defined growth medium~~ modified liquid medium containing a nutrient source and grown for a period of 7 days.

<sup>2.</sup>  
Claim ~~16~~ (Previously Presented): The process as claimed in claim ~~14~~, wherein the subjecting step is performed aseptically.

<sup>3.</sup>  
Claim ~~17~~ (Previously Presented): The process as claimed in claim ~~16~~, wherein the inoculum is inoculated into a liquid medium and growth is allowed for a period of 20 to 30 days under static conditions.

<sup>4.</sup>  
Claim ~~18~~ (Previously Presented): The process as claimed in claim ~~16~~, wherein the inoculum have a disc size of 3 to 12 mm.

<sup>5.</sup>  
Claim ~~19~~ (Previously Presented): The process as claimed in claim ~~16~~, wherein the inoculum have a disc size of 5 to 8 mm.